



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,578	03/14/2001	Hawley Rising III	SONY-50P3814.01	5897

7590 11/17/2003

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

FILIPCZYK, MARCIN R

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 11/17/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary

Application No.

09/809,578

Applicant(s)

RISING ET AL.

Examiner

Marc R Filipczyk

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2171

Response to Amendment

This action is responsive to Applicant's response filed on August 18, 2003 (paper # 4).

Declaration received on August 18, 2003 has been noted. Claims 1-35 remain for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-35 rejected under 35 U.S.C. 102(e) as being anticipated by Vaithilingam et al. (hereinafter Vait) (U.S. Patent No. 6,411,724).

Regarding claims 1, 6, 10, 15, 19, 24, 28 and 32, Vait discloses a method/system of forming a semantic description for content data, comprising the steps of: (title)

Retrieving plurality of component semantic descriptions (col. 2, lines 50-64) stored remotely from the content data (col. 3, lines 28 and 29, and col. 7, lines 49-52) according to reference information associated with the content data; (fig. 1) and

Generating a semantic description using some component semantic descriptions and reference information (fig. 2, block 110).

col. 10, 33-35

Art Unit: 2171

Regarding claims 2, 3, 11, 12, 20, 21, 29 and 30, Vait discloses modifying and extracting one or more component semantic descriptions to generate the semantic description (col. 10, lines 33-36).

Regarding claim 4, 13, 22 and 31, Vait discloses combining one or more component semantic descriptions to generate the semantic description (col. 10, lines 26 and 27).

Regarding claim 5, 14 and 23, Vait discloses the method of claim 1 is performed in response to a request for said semantic description (col. 2, lines 39-49).

(Note: query is a request)

Regarding claims 7, 8, 16, 17, 25, 26, 33 and 34, Vait discloses an internet network and using URIs to each component semantic description stored on the internet to facilitate access (col. 8, lines 47-52).

(Note: URL link along with a primary key identifier is equivalent to a URI's function)

Regarding claim 9, 18, 27 and 35, Vait discloses component semantic descriptions are stored in a control dictionary (col. 6, lines 58-65 and col. 7, lines 2-8).

(Note: a predefined, updateable standard notation stored in a controlled facility is a control dictionary)

Response to Arguments

Art Unit: 2171

Applicant's arguments filed on August 18, 2003 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Applicant argues on page 16 of the 8/18/03 response that, "Vait does not describe generating a semantic description for content data using one or more component semantic descriptions and the reference information associated with the content data."

In response to Applicant's argument, Examiner disagrees. First, the claimed language does not include generating and associated with the content data, but instead the claimed limit in relation to the claim states, "generating a semantic description using one or more component semantic descriptions and a reference information." Vait discloses the claimed feature cited in the first office action, further, col. 10, lines 33-35, Vait restates the creation of descriptors and new description schemes based on meta-data.

Regarding arguments on pages 16-18, Applicant does not raise any new issues over page 16 already addressed by the Examiner.

With respect to all the pending claims 1-35, Examiner respectfully traverses Applicant's assertion based on the discussion cited above, as such, Examiner maintains the same rejections.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2171

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R Filipczyk whose telephone number is 703-305-7156. The examiner can normally be reached on Mon-Fri, 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MF
November 13, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100